

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0363.01 Christopher McMichael x4775

HOUSE BILL 24-1048

HOUSE SPONSORSHIP

McCormick and Martinez, McLachlan

SENATE SPONSORSHIP

Ginal and Pelton B., Pelton R., Simpson

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE PROVISION OF VETERINARY SERVICES THROUGH**
102 **TELEHEALTH.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Water Resources and Agriculture Review Committee. The bill concerns the use of telehealth to provide veterinary services. The bill defines different types of telehealth tools that can be used in a veterinary practice.

In current law, one criterion for the establishment of a veterinarian-client-patient relationship is that the veterinarian has

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
February 9, 2024

conducted an examination of the animal that is the patient. The bill clarifies that the examination must be an in-person, physical examination. The bill also extends the veterinarian-client-patient relationship to other licensed veterinarians who share the same physical premises as the veterinarian who established the relationship if the other veterinarians have access to and have reviewed the patient's medical records.

The bill allows a licensed veterinarian who has established a veterinarian-client-patient relationship to use telehealth to provide veterinary services to clients and patients in Colorado with the consent of the client. A licensed veterinarian may also refer a patient to a veterinary specialist, who may provide veterinary services via telemedicine under the referring veterinarian's veterinarian-client-patient relationship.

The bill authorizes the state board of veterinary medicine to establish rules for the use of telehealth to provide veterinary services.

The bill clarifies that only a licensed veterinarian with an established veterinarian-client-patient relationship may prescribe medication using telemedicine.

The bill allows a licensed veterinarian who has established a veterinarian-client-patient relationship to supervise veterinary personnel who are not located on the same premises using telesupervision if the veterinarian and the personnel are employees of the same veterinary practice and the veterinary premises, the veterinary professionals or other veterinary personnel, and the patient are all located in Colorado.

The bill establishes record-keeping, confidentiality, and privacy requirements related to the use of telehealth.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-315-104, **amend**
3 (19) as follows:

4 **12-315-104. Definitions.** As used in this article 315, unless the
5 context otherwise requires:

6 (19)(a) "Veterinarian-client-patient relationship" means ~~that~~ THE
7 relationship established when:

8 ~~(a)~~ (I) The veterinarian has assumed the responsibility for making
9 medical judgments regarding the health of an animal and the need for
10 medical treatment, and the owner, OWNER'S AGENT, or ~~other~~ AUTHORIZED
11 caretaker has agreed to follow the instruction of the veterinarian;

1 **(b)** (II) There is sufficient knowledge of an animal by the
2 veterinarian to initiate at least a general or preliminary diagnosis of the
3 medical condition of the animal, which means that the veterinarian has
4 recently seen and is personally acquainted with the keeping and care of
5 the animal by virtue of an IN-PERSON, PHYSICAL examination of the
6 animal or by medically appropriate and timely visits to the premises
7 where the animal is kept; and

8 **(c)** (III) The practicing veterinarian is readily available, or has
9 arranged for emergency coverage, for follow-up evaluation in the event
10 of adverse reactions or failure of the treatment regimen.

11 **(b)** A VETERINARIAN-CLIENT-PATIENT RELATIONSHIP ESTABLISHED
12 ACCORDING TO SUBSECTION (19)(a) OF THIS SECTION MAY EXTEND TO
13 OTHER LICENSED VETERINARIANS WORKING OUT OF THE SAME PHYSICAL
14 PRACTICE LOCATION AS THE VETERINARIAN WHO ESTABLISHED THE
15 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP IF THE OTHER LICENSED
16 VETERINARIANS HAVE ACCESS TO AND HAVE REVIEWED THE PATIENT'S
17 MEDICAL RECORDS.

18 **SECTION 2.** In Colorado Revised Statutes, 12-315-106, **add** (9)
19 as follows:

20 **12-315-106. Board of veterinary medicine - creation - powers**
21 **- rules.** (9) (a) THE BOARD MAY PROMULGATE RULES REGARDING THE USE
22 OF TELEHEALTH TO PROVIDE VETERINARY SERVICES IN COLORADO
23 PURSUANT TO PART 3 OF THIS ARTICLE 315.

24 **(b)** IN DEVELOPING RULES PURSUANT TO SUBSECTION (9)(a) OF
25 THIS SECTION, THE BOARD SHALL CONSULT WITH LICENSED
26 VETERINARIANS, REGISTERED VETERINARY TECHNICIANS, CLIENTS, AND
27 OTHER RELEVANT STAKEHOLDERS AS DETERMINED BY THE BOARD.

1 TELE-EDUCATION, TELEMEDICINE, TELEMONITORING, TELEREFERRAL,
2 TELESUPERVISION, TELETRIAGE, AND OTHER TOOLS THAT HELP
3 VETERINARY PROFESSIONALS DELIVER VETERINARY EDUCATION AND
4 SERVICES VIRTUALLY.

5 (5) "TELEMEDICINE" MEANS THE REMOTE PRACTICE OF
6 VETERINARY MEDICINE THROUGH THE USE OF TELECOMMUNICATIONS
7 TECHNOLOGY THAT ALLOWS A LICENSED VETERINARIAN WITH AN
8 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP TO
9 EVALUATE, DIAGNOSE, AND TREAT A PATIENT VIRTUALLY.

10 (6) "TELEMONITORING" MEANS THE USE OF TELECOMMUNICATIONS
11 TECHNOLOGY TO AUGMENT VETERINARY SERVICES BY COLLECTING AND
12 DELIVERING HEALTH INFORMATION FROM A PATIENT.

13 (7) "TELEREFERRAL" MEANS A VETERINARIAN WITH AN
14 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP WHO REFERS
15 THE CLIENT TO A VETERINARY SPECIALIST TO PROVIDE VETERINARY
16 SERVICES USING TELECOMMUNICATIONS TECHNOLOGY UNDER THE
17 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP.

18 (8) "TELESUPERVISION" MEANS THE SUPERVISION OF INDIVIDUALS
19 PROVIDING VETERINARY SERVICES USING MEDIA SUCH AS AUDIO,
20 AUDIO-VISUAL CONFERENCING, TEXT MESSAGING, E-MAIL, OR OTHER
21 VIRTUAL OR DIGITAL TECHNOLOGIES.

22 (9) "TELETRIAGE" MEANS THE SAFE, APPROPRIATE, AND TIMELY
23 ASSESSMENT OF AN ANIMAL, OR A GROUP OF ANIMALS, UNDER CONDITIONS
24 OF UNCERTAINTY AND URGENCY, AND THE POSSIBLE REFERRAL TO A
25 LICENSED VETERINARIAN, AFTER DISCUSSION WITH THE INDIVIDUAL
26 RESPONSIBLE FOR THE ANIMAL OR GROUP OF ANIMALS, USING
27 TELECOMMUNICATIONS TECHNOLOGY. A VETERINARIAN-CLIENT-PATIENT

1 RELATIONSHIP IS NOT REQUIRED FOR SUCH AN ASSESSMENT OR REFERRAL.
2 "TELETRIAGE" DOES NOT INCLUDE THE RENDERING OF A DIAGNOSIS.

3 (10) "VETERINARY SPECIALIST" MEANS A VETERINARIAN WHO IS
4 FORMALLY RECOGNIZED AS A SPECIALIST FROM A SPECIALTY
5 ORGANIZATION THAT IS RECOGNIZED BY THE AMERICAN VETERINARY
6 MEDICAL ASSOCIATION'S AMERICAN BOARD OF VETERINARY
7 SPECIALTIES, OR ITS SUCCESSOR ORGANIZATION, OR ANOTHER
8 ASSOCIATION THAT RECOGNIZES VETERINARY SPECIALISTS THAT THE
9 STATE BOARD OF VETERINARY MEDICINE HAS APPROVED BY RULE.

10 **12-315-302. Veterinarian-client-patient relationship -**
11 **telemedicine.** (1) ONLY A LICENSED VETERINARIAN MAY ESTABLISH A
12 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP IN THIS STATE.

13 (2) (a) A VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MUST BE
14 ESTABLISHED BY AN IN-PERSON, PHYSICAL EXAMINATION OF THE ANIMAL
15 OR TIMELY VISITS TO THE PREMISES WHERE THE ANIMAL IS KEPT.

16 (b) A VETERINARY SPECIALIST MAY USE TELECOMMUNICATIONS
17 TECHNOLOGY TO SEE A PATIENT UNDER ANOTHER VETERINARIAN'S
18 PREVIOUSLY ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP
19 PURSUANT TO SECTION 12-315-306.

20 (3) AN ESTABLISHED VETERINARIAN-CLIENT-PATIENT
21 RELATIONSHIP MAY BE MAINTAINED THROUGH EXAMINATIONS THAT
22 OCCUR USING TELECOMMUNICATIONS TECHNOLOGY IN BETWEEN
23 APPROPRIATE IN-PERSON, PHYSICAL EXAMINATIONS OR VISITS TO THE
24 PREMISES WHERE THE PATIENT IS KEPT.

25 **12-315-303. Treatment of patients using telehealth -**
26 **telemedicine - licensure - technology - consent.** (1) (a) A PERSON MUST
27 BE LICENSED TO PRACTICE VETERINARY MEDICINE IN COLORADO IN ORDER

1 TO PRACTICE TELEMEDICINE IN COLORADO.

2 (b) A PERSON WHO IS NOT A LICENSED VETERINARIAN IN
3 COLORADO AND WHO USES TELEMEDICINE TO PROVIDE VETERINARY
4 SERVICES TO ANIMALS AND INDIVIDUALS RESPONSIBLE FOR THE ANIMALS
5 ENGAGES IN THE UNAUTHORIZED PRACTICE OF VETERINARY MEDICINE.
6 SUCH PERSON IS SUBJECT TO PENALTIES FOR THE UNAUTHORIZED PRACTICE
7 OF VETERINARY MEDICINE PURSUANT TO SECTION 12-315-114.

8 (2) A LICENSED VETERINARIAN SHALL EMPLOY SOUND,
9 PROFESSIONAL JUDGMENT WHEN DETERMINING WHETHER TO PROVIDE
10 VETERINARY SERVICES TO A PATIENT THROUGH TELEMEDICINE AND SHALL
11 USE TELEMEDICINE ONLY WHEN SUCH USE IS MEDICALLY APPROPRIATE
12 BASED ON THE PATIENT'S CONDITION.

13 (3) A VETERINARY PROFESSIONAL SHALL ENSURE THAT THE
14 TECHNOLOGY USED WHEN PROVIDING VETERINARY SERVICES THROUGH
15 TELEHEALTH IS OF APPROPRIATE QUALITY TO ENSURE:

16 (a) ACCURACY OF THE REMOTE ASSESSMENT OF THE PATIENT'S
17 CONDITION OR BEHAVIOR;

18 (b) CLEAR COMMUNICATION WITH CLIENTS; AND

19 (c) COMPLIANCE WITH ALL RELEVANT PRIVACY AND
20 CONFIDENTIALITY REQUIREMENTS.

21 (4) (a) A VETERINARY PROFESSIONAL SHALL OBTAIN CONSENT
22 FROM THE CLIENT BEFORE PROVIDING VETERINARY SERVICES THROUGH
23 TELEHEALTH AND SHALL RECORD THE CLIENT'S CONSENT IN THE PATIENT'S
24 MEDICAL RECORD.

25 (b) A VETERINARY PROFESSIONAL USING TELEHEALTH TO PROVIDE
26 VETERINARY SERVICES SHALL INFORM THE CLIENT, OR THE CLIENT'S
27 AUTHORIZED REPRESENTATIVE, OF:

1 (I) THE VETERINARY PROFESSIONAL'S NAME, LOCATION, AND, IF
2 APPLICABLE, LICENSE NUMBER AND LICENSURE STATUS;

3 (II) WHETHER, IN THE VETERINARIAN'S PROFESSIONAL OPINION,
4 THE PATIENT'S CONDITION CAN BE ACCURATELY DIAGNOSED OR TREATED
5 USING TELEMEDICINE; AND

6 (III) THE DIAGNOSIS, PROGNOSIS, AND TREATMENT OPTIONS FOR
7 THE PATIENT.

8 **12-315-304. Standard of care.** (1) A LICENSED VETERINARIAN
9 USING TELEHEALTH TO PROVIDE VETERINARY SERVICES SHALL CONDUCT
10 ALL NECESSARY PATIENT EVALUATIONS AND TREATMENT USING THE
11 APPLICABLE STANDARD OF CARE FOR THOSE EVALUATIONS AND
12 TREATMENTS.

13 (2) A LICENSED VETERINARIAN SHALL NOT RECOMMEND
14 TREATMENT OR CARE FOR AN ANIMAL BASED SOLELY ON A CLIENT'S
15 RESPONSES TO AN ONLINE QUESTIONNAIRE.

16 **12-315-305. Prescribing medication through telemedicine.**

17 (1) (a) ONLY A LICENSED VETERINARIAN WITH AN ESTABLISHED
18 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY PRESCRIBE
19 MEDICATION THROUGH TELEMEDICINE.

20 (b) A LICENSED VETERINARIAN SHALL USE PROFESSIONAL
21 JUDGMENT WHEN DETERMINING IF IT IS APPROPRIATE TO PRESCRIBE
22 MEDICATION THROUGH TELEMEDICINE.

23 (2) A LICENSED VETERINARIAN WHO PRESCRIBES MEDICATION
24 THROUGH TELEMEDICINE IS SUBJECT TO THE LIMITATIONS ON
25 PRESCRIPTIONS SPECIFIED IN SECTION 12-30-109.

26 **12-315-306. Telereferral.** (1) A VETERINARIAN WITH AN
27 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY REFER

1 A PATIENT TO A VETERINARY SPECIALIST.

2 (2) A VETERINARY SPECIALIST TO WHOM A PATIENT IS REFERRED
3 MAY PROVIDE VETERINARY SERVICES USING TELECOMMUNICATIONS
4 TECHNOLOGY FOR THE PATIENT AND CLIENT UNDER THE REFERRING
5 VETERINARIAN'S VETERINARIAN-CLIENT-PATIENT RELATIONSHIP.

6 (3) A VETERINARY SPECIALIST TO WHOM A PATIENT IS REFERRED
7 SHALL PROVIDE THE REFERRING VETERINARIAN WITH INFORMATION
8 RELATED TO THE DIAGNOSIS, TREATMENT, AND PROGRESS OF THE PATIENT.

9 (4) (a) A VETERINARY SPECIALIST TO WHOM A PATIENT IS
10 REFERRED SHALL NOT PRESCRIBE MEDICATIONS TO THE PATIENT UNLESS
11 THE VETERINARY SPECIALIST ESTABLISHES A
12 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP THROUGH AN IN-PERSON,
13 PHYSICAL EXAMINATION OF THE PATIENT.

14 (b) THE LICENSED VETERINARIAN WITH THE ESTABLISHED
15 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY PRESCRIBE
16 MEDICATIONS TO THE PATIENT AFTER CONSULTATION WITH THE
17 VETERINARY SPECIALIST TO WHOM THE PATIENT WAS REFERRED.

18 **12-315-307. Telesupervision.** (1) A LICENSED VETERINARIAN
19 MAY PROVIDE, AT THE VETERINARIAN'S DISCRETION, TELESUPERVISION OF
20 REGISTERED VETERINARY TECHNICIANS FOR TASKS THAT DO NOT REQUIRE
21 DIRECT OR IMMEDIATE SUPERVISION, PURSUANT TO BOARD RULES.

22 (2) A SUPERVISING LICENSED VETERINARIAN WHO HAS AN
23 ESTABLISHED VETERINARIAN-CLIENT-PATIENT RELATIONSHIP MAY USE
24 TELESUPERVISION TO SUPERVISE REGISTERED VETERINARY TECHNICIANS
25 WHO ARE NOT LOCATED ON THE SAME PREMISES AS THE SUPERVISING
26 VETERINARIAN IF:

27 (a) THE SUPERVISING LICENSED VETERINARIAN AND THE

1 REGISTERED VETERINARY TECHNICIANS ARE EMPLOYEES OF THE SAME
2 VETERINARY PRACTICE LOCATION; AND

3 (b) THE VETERINARY PROFESSIONALS ARE REGISTERED OR
4 LICENSED IN COLORADO AND THE PATIENT IS LOCATED IN COLORADO.

5 **12-315-308. Emergency care - continuity of care.** (1) A
6 LICENSED VETERINARIAN WHO PRACTICES VETERINARY MEDICINE
7 THROUGH TELEMEDICINE SHALL BE AVAILABLE IN PERSON AT A
8 VETERINARY PREMISES THAT IS ACCESSIBLE TO THE CLIENT AND PATIENT
9 OR SHALL ARRANGE FOR ANOTHER LICENSED VETERINARIAN IN COLORADO
10 TO BE AT A VETERINARY PREMISES THAT IS ACCESSIBLE TO THE CLIENT
11 AND PATIENT IN CASE OF AN EMERGENCY OR FOR NECESSARY FOLLOW-UP
12 EVALUATIONS.

13 (2) A LICENSED VETERINARIAN SHALL PROVIDE THE CLIENT WITH
14 A PLAN FOR EMERGENCY OR FOLLOW-UP CARE WHEN PROVIDING
15 VETERINARY SERVICES THROUGH TELEMEDICINE.

16 **12-315-309. Medical records - definition.** (1) AS USED IN THIS
17 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "ANIMAL CARE
18 PROVIDER" HAS THE MEANING SET FORTH IN SECTION 12-315-119 (1).

19 (2) AN ANIMAL CARE PROVIDER THAT USES TELEHEALTH TO
20 PROVIDE VETERINARY SERVICES SHALL MAINTAIN MEDICAL RECORDS
21 PURSUANT TO SECTION 12-315-119.

22 (3) AN ANIMAL CARE PROVIDER THAT CREATES MEDICAL RECORDS
23 DURING THE PROVISION OF VETERINARY SERVICES, INCLUDING THE
24 CLIENT'S CONSENT TO TELEHEALTH SERVICES, SHALL INCLUDE THE
25 RECORDS IN THE PATIENT'S MEDICAL RECORD AND MAKE THE RECORDS
26 ACCESSIBLE TO BOTH THE CLIENT AND THE ANIMAL CARE PROVIDER.

27 **12-315-310. Confidentiality and privacy.** A LICENSED

1 VETERINARIAN SHALL ENSURE THAT A CLIENT'S PRIVACY AND
2 CONFIDENTIALITY ARE PROTECTED WHEN THE VETERINARIAN IS PROVIDING
3 VETERINARY SERVICES USING TELEHEALTH PURSUANT TO THE
4 VETERINARIAN'S PROFESSIONAL AND LEGAL OBLIGATIONS.

5 **SECTION 4. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2024 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.